

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

EMMANUEL AGYEMAN,

Plaintiff,

CV F 99 5913 WMW P

vs.

ORDER RE MOTION (DOC 92)

KERN COUNTY SHERIFF, et al.,

Defendants.

Plaintiff, a former inmate at the Kern County Jail, is proceeding pro se in this civil rights action against Defendant correctional officials employed by Kern County. Plaintiff claims that he was subjected to excessive force while housed at the Kern County Jail.

On December 11, 2006, this court received and filed an order from the U.S. Court of Appeals for the Ninth Circuit, reversing and remanding the judgment of the court entered on July 23, 2003.

Prior to entry of that judgment, the parties consented to the exercise of jurisdiction by the Magistrate Judge pursuant to 28 U.S.C. § 636 (c)(1). On December 21, 2006, Plaintiff filed a motion to withdraw the consent to proceed. Plaintiff seeks to have this action reassigned to a U.S. District Judge.

Pursuant to 28 U.S.C. § 636(c)(4), the court may, for good cause or under extraordinary circumstances, vacate a reference to the Magistrate Judge. Plaintiff's

1 motion consists of a “request that the case be assigned to a District Judge for all further
2 proceedings.” Plaintiff sets forth no grounds or argument for his motion. Plaintiff has not
3 shown good cause to vacate the reference to a Magistrate Judge.

4 Accordingly, IT IS HEREBY ORDERED that Plaintiff’s motion to withdraw the
5 consent to proceed is denied.

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9 IT IS SO ORDERED.

10 Dated: June 13, 2007

/s/ William M. Wunderlich
UNITED STATES MAGISTRATE JUDGE